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8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 APPROXIMATELY \$24,900.00 IN U.S.  
CURRENCY,

15 Defendant.  
16

2:21-MC-00264-MCE-AC

CONSENT JUDGMENT OF  
FORFEITURE

17 Pursuant to the Stipulation for Consent Judgment of Forfeiture, the Court finds:

18 1. On May 25, 2021, inspectors with the United States Postal Inspection Service ("USPIS")  
19 seized Approximately \$24,900.00 in U.S. Currency (hereafter "defendant currency") during a parcel  
20 interdiction at the Processing and Distribution Center located in West Sacramento, California.

21 2. USPIS commenced administrative forfeiture proceedings, sending direct written notice to  
22 all known potential claimants and publishing notice to all others. On or about August 4, 2021, USPIS  
23 received a claim from Christopher Fluke ("Fluke" or "claimant") asserting an ownership interest in the  
24 defendant currency.

25 3. The United States represents that it could show at a forfeiture trial that on May 25, 2021,  
26 USPIS conducted a parcel interdiction at the Processing and Distribution Center located at 3775 Industrial  
27 Boulevard, West Sacramento, California. During the interdiction, law enforcement officials identified a  
28

1 parcel that bore markers consistent with parcels used for shipping contraband. The Priority Mail Express  
2 parcel #EJ 536970646 US was addressed to Christopher James (“Fluke”) at 10610 Red Dog Road,  
3 Nevada City, CA 95959, with the following return address: TCRI LLC (“TCRI”) at PO Box 663,  
4 Wendover, UT 84083.

5 4. The United States represents that it could further show at a forfeiture trial that the parcel  
6 was presented to a drug detection dog, who positively alerted to the presence of the odor of narcotics.

7 5. The United States represents that it could further show at a forfeiture trial that May 25,  
8 2021, law enforcement used a law enforcement database to search sender name and address that appeared  
9 on the Priority Mail Express label # EJ 536970646 US. Inspectors were unable to find TCRI associated  
10 with the sending address. Law enforcement searched the PO Box directory information and determined  
11 that Tahoe Cosmic Research Institute had applied for the box with a listed name of Christopher Fluke  
12 and an address of 96 Skyhawk, Wendover, UT 84083. On May 25, 2021, law enforcement obtained  
13 consent to open Priority Mail Express parcel # EJ 536970646 US. Inside the parcel was packaging  
14 peanuts and multiple bundles of vacuum sealed US currency. The cash totaled \$24,900 in US Currency.  
15 A later bank count of the cash seized from Fluke totaled \$24,900.00—the defendant currency. The  
16 currency consisted mainly of \$20 bills, making up \$4,900.00 of the \$ 24,900.00 found. Additionally, the  
17 parcel did not contain any notes, instructions, or receipts.

18 6. The United States could further show at a forfeiture trial that the defendant currency is  
19 forfeitable to the United States pursuant to 21 U.S.C. § 881(a)(6).

20 7. Without admitting the truth of the factual assertions contained above, claimant specifically  
21 denying the same, and for the purpose of reaching an amicable resolution and compromise of this matter,  
22 claimant agrees that an adequate factual basis exists to support forfeiture of the defendant currency. Fluke  
23 acknowledged that he is the sole owner of the defendant currency, and that no other person or entity has  
24 any legitimate claim of interest therein. Should any person or entity institute any kind of claim or action  
25 against the government with regard to its forfeiture of the defendant currency, claimant shall hold harmless  
26 and indemnify the United States, as set forth below.

27 8. This Court has jurisdiction in this matter pursuant to 28 U.S.C. §§ 1345 and 1355, as this is  
28 the judicial district in which acts or omissions giving rise to the forfeiture occurred.

1           9.       This Court has venue pursuant to 28 U.S.C. § 1395, as this is the judicial district in which  
2 the defendant currency was seized.

3           10.       The parties herein desire to settle this matter pursuant to the terms of a duly executed  
4 Stipulation for Consent Judgment of Forfeiture.

5           Based upon the above findings, and the files and records of the Court, it is hereby ORDERED  
6 AND ADJUDGED:

7           1.       The Court adopts the Stipulation for Consent Judgment of Forfeiture entered into by and  
8 between the parties.

9           2.       Upon entry of this Consent Judgment of Forfeiture, \$12,450.00 of the Approximately  
10 \$24,900.00 in U.S. Currency, together with any interest that may have accrued on the total amount seized,  
11 shall be forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6), to be disposed of according to  
12 law.

13           3.       Upon entry of this Consent Judgment of Forfeiture, but no later than 60 days thereafter,  
14 \$12,450.00 of the Approximately \$24,900.00 in U.S. Currency shall be returned to claimant Christopher  
15 Fluke through his attorney Carolyn Hagin Emison.

16           4.       The United States of America and its servants, agents, and employees and all other public  
17 entities, their servants, agents and employees, are released from any and all liability arising out of or in  
18 any way connected with the seizure or forfeiture of the defendant currency. This is a full and final release  
19 applying to all unknown and unanticipated injuries, and/or damages arising out of said seizure or  
20 forfeiture, as well as to those now known or disclosed. Claimant waived the provisions of California  
21 Civil Code § 1542.

22           5.       No portion of the stipulated settlement, including statements or admissions made therein,  
23 shall be admissible in any criminal action pursuant to Rules 408 and 410(a)(4) of the Federal Rules of  
24 Evidence.

25           6.       All parties will bear their own costs and attorney's fees.

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1           7.       Pursuant to the Stipulation for Consent Judgment of Forfeiture filed herein, the Court  
2 enters a Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause  
3 for the seizure of the above-described defendant currency.

4           8.       The Clerk of Court is directed to close the case.

5           IT IS SO ORDERED.

6  
7 Dated: June 7, 2022

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9 MORRISON C. ENGLAND, JR.  
SENIOR UNITED STATES DISTRICT JUDGE